

From: Brian Riel
To: Microsoft ATR
Date: 1/24/02 11:56am
Subject: Microsoft Settlement

Dear DOJ authorities,

All through this long and drawn out court action involving Microsoft and their business practices, I must say, I have been thoroughly and utterly appalled at the way in which it has been used to do one thing. Bring down Microsoft. Period.

It makes me ashamed of the way this countries judicial system has been used and abused to further the ends of Microsoft's direct competitors. No one is denying that Microsoft's strategies aren't aggressive in the market place, but did they do something illegal that warranted this crusade to bring them down. NO. I don't think so for a minute.

We, the people, created and molded the economic structure that a retailer has to contend with. From childhood on up, we learn about this arena... look for the best bargain, get the most for your money, 'shopping' is the catch word of our free enterprise. The american public as consumers are demanding and voracious in their expectations of retailers to 'give' them reason to give them their business. It is this consumer attitude that is driving this whole issue.

You ask a grandparent, or better yet, a great-grandparent, about the market place in their day. You'll hear about quality products, good service, friendly, neighborly relations, and something that is all but extinct now, loyalty. Even I can remember a time when my dad would do business with one retail establishment, and continue to do so as long as they gave him a fair and honest deal....out of loyalty. Many consumers did the same. **This** generation has been taught loyalty to one thing...getting the **MOST** for their money. Never mind if the offer of a retailer **IS** a quality product, if it **MEETS** their needs, or is at a **FAIR** price. They want 'Added Value', and they 'shop' for it. Literally, pitting retailer against retailer to 'battle' for their patronage.

I can give you a very distinct example. Look at the photocopier/office equipment industry. I entered it as service technician in '89. At that time, sales was the bread-winning component of the business. Sales made a very tidy revenue, while service was much a necessary by-product of selling. In a very competitive market, the customers demanding more to give their business, each company dropped sales prices to beat out their competitors. Only problem is, did consumers stop at a 'fair' price? No way. They knew the position they had the retailers in, and squeezed. By about '92, office equipment companies were selling equipment for almost no profit. So, what to do? The customer's appetite for 'added value' didn't stop or wane. Service rates and quality picked up the baton. Companies started offering 'competitive' rates for service, and that worked. For a while. A company would sell.. place.. a copier, or very little profit, and look to service to make the revenue. But, once again, the consumers didn't relent. More. More. Until, the companies are now selling, and servicing machines for relatively so little that they barely stay in business.

Why do I go to length to describe this? Because, like all retailers, this is the arena in which Microsoft deals. Just like everybody else in business today. Including, Sun, Oracle, AOL, and the rest.

What did Microsoft do? They gave 'added value' to the customer. NO different than any other retailer has, and is, doing. When you go to the grocery store, and buy a bottle of soda, and it is offered at "buy one, get one free". They gave you something more, something free, to entice you to buy. When the car dealer, "throws in" an option, say, sporty wheels, or the racier interior, at no extra cost, to entice you to buy. So, Microsoft gave customers something extra, at no extra cost, a browser, to entice them to buy. **HOW IS THAT DIFFERENT?!** For crying out loud, there is a tire store retailer who gives the customer \$100 in free BEEF to get their business.

Microsoft is larger, and more successful than a lot of companies.... yes. That is not a crime. Microsoft could afford to do it. That is not a crime. No doubt, it had the desired affect. It drew customers. The competitors, then, had a choice. Like any other retailer, in any other industry, they needed to innovate, strive to find ways to make their product more appealing than Microsoft's. Or, not. No doubt, it is a hard position to be in. Exactly, like my illustration of the copier industry. Microsoft didn't create the consumer/retail game, but like all others, they learned to play in it. But now, the competitors found a third choice. To use the judicial system to do something they were failing to do in the market place. Beat Microsoft.

I could go on. But, enough.

MTC-00021799_0002

The retail arena Microsoft, and all other companies, deal in every day is not an easy, lackadaisical one. It is very competitive to say the least. Microsoft did nothing that no one else is not doing. The main difference may just be that Microsoft is larger than many, and so was more effective because of it. But, being successful, and growing, is what the american dream is all about. What? Is there now a limit put on it? Oh, you have grown enough now...stop and don't do it anymore.....

Nothing Microsoft did, is anywhere near deserving harsh judgement, or much less, anything on the scale of 'breaking them up'. Get these competitors out of the courtrooms, and send them back to their drawing rooms. If they spent more time there. Maybe. Just maybe. They might 'make' or 'sell' their products better, and win in the marketplace that way....

Gain back the dignity of our Judicial system. Stop catering and listening to biased, vengeful retailers with less than honorable agendas!

Thank you.

Brian Riel

MSN Photos is the easiest way to share and print your photos: [Click Here](#)

MTC-00021799_0003